

HB 394

Board of Private Alternative Adolescent Residential or Outdoor Programs

Testimony

Business and Labor Committee

By Darcie Kelly, Public Member

Madam Chair and members of the committee, my name is Darcie Kelly (KELLY) and I am here to represent the Montana Board of Private Alternative Adolescent and Outdoor Programs and voice our support for HB 394.

I want to first thank Representative Boldman-Hill for her interest in ensuring the safety of all youth who are placed out of the home for care or treatment in a Montana residential or outdoor program. We share that interest as the Board of Private Alternative Adolescent and Outdoor Programs' primary responsibility and obligation is to protect youth through proper licensing and regulation of residential and outdoor programs.

In your wisdom, the legislature voted to regulate residential and outdoor programs during the 2007 legislative session. Currently there are fourteen licensed programs in Montana.

Not included among these fourteen programs are any organizations, boarding schools, or residential schools that are an adjunct ministry of a church incorporated in the state of Montana. They are exempt from the licensure laws. HB 394 would eliminate this exemption.

The Board is supportive of the removal of this exemption. It is the Board's strong belief that all residential programs that provide care and treatment of vulnerable youth in Montana should fall under a state licensing authority and oversight so that all are required to operate with clear standards of care to ensure the safety of youth.

The current exemption allows programs with a church affiliation the ability to create residential treatment of minor children without basic standards for safety and behavioral conduct. There is no reason to exclude such programs from the basic standards of care and safety that apply to all other residential youth care facilities. The risks of abusive treatment, lack of safety standards, or simple lack of awareness of current practice standards is just as large a risk for religious residential programs as for any other program.

All public and private programs that provide residential care for youth in Montana are currently licensed under Titles 52, 53, 57, or 37 with the glaring exception of residential programs that are an "adjunct ministry of a church incorporated in the state of Montana".

Removing the exclusion of residential "adjunct ministries" in Title 37 is a move in the right direction and would ensure that all children in residential care in Montana are subject to adequate oversight and appropriate standards of care and safety.

I am available to answer any questions you may have as you deliberate this bill.

Thank you for your consideration and, again, the Board asks that you pass HB 394.



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Board Quick Facts

- 14 active licensees
- The Board consists of 5 members all of which are appointed by the Governor and confirmed by the Senate.
- Board members serve three year terms
- Receive about 8 complaints each year